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10/672,902	09/26/2003	Rami Caspi	2003P08213US	9178

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Siemens Corporation
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EXAMINER

HOLLIDAY, JAIME MICHELE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/672,902	Applicant(s) CASPI ET AL.	
	Examiner Jaime M. Holliday	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Response to Arguments

1. Applicant's arguments with respect to **claims 1-18** have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on January 12, 2006 has been considered by the Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

Art Unit: 2617

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. **Claims 1-3, 7-9,14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Reichelt et al. (U.S. Patent # 6,349,206 B1)**.

Consider **claim 1**, Stewart clearly shows and discloses a telephone system, reading on the claimed "telecommunications system," comprising:

a plurality of first telephones and a remote portable telephone including a position locator and a telephone exchange **16**, reading on the claimed "plurality of network clients including a positioning controller and a communications controller," (column 2, lines 25-32), and

a centralized base station **17** with a transceiver for receiving location signals from a portable telephone that includes the position locator, reading on the claimed "positioning server configured to receive position information from said positioning controller," (column 2, lines 53-55);

wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "positioning server includes a timer for determining when said position information is to be received from associated ones of said plurality of network clients," (column 4, lines 53-65).

However, Stewart fails to disclose that the time to wait for receipt of the location request signal is responsive to the presence of the first telephones and a remote portable telephone.

In the same field of endeavor, Reichelt et al. clearly show and disclose a method and system that enables a subscriber to be warned via a mobile terminal, reading on the claimed network client." The network monitors the location of the mobile terminal during a call. The position/location of the mobile terminal may be constantly and or periodically monitored by the mobile switching center (MSC), reading on the claimed "positioning server," in order to detect movement of the mobile terminal into an invalid cell (e.g. during a call). Once the location framework (e.g., the nature of valid and invalid regions) is established, the MSC can request the base station system (BSS) send an indication to the MSC whenever the location information of the mobile terminal changes. The MSC may subsequently determine whether or not the new location information is allowed or disallowed for the mobile terminal. If disallowed, the MSC will take appropriate action, such as warning the user of the impending disconnection and starting a timer. Upon expiration of the timer (e.g. if the MSC has not been informed that the MT has since moved to a position that is valid), the MSC will disconnect the call, reading on the claimed "positioning server includes a timer for determining when said position information is to be received from associated ones of said plurality of network clients responsive to receiving indicia of a

presence of said associated ones," (col. 2 lines 40-43, col. 4 lines 60-63, col. 6 lines 11-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the MSC to start a timer dependent on the position/location, reading on the claimed "presence," of a mobile terminal as taught by Reichelt et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 2**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention **as applied to claim 1 above**, and in addition, Stewart further discloses that the telephone system comprises a portable phone with a position locator, such as a GPS locator, thus making the locator capable of receiving of global positioning network signals for determining position, reading on the claimed "positioning controller receives global positioning network signals for determining a position of an associated network client," (column 1, lines 50-54).

Consider **claim 3**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention **as applied to claim 2 above**, and in addition, Stewart further discloses that the first telephones and the remote portable telephone could have cableless connections such as radio or satellite connections. The first telephone could also be a portable telephone, thus making the telephone exchange a cellular network system, reading on the claimed

“communications controller comprises a cellular network controller for transmitting on a cellular telephone network to said server,” (column 4, lines 18 – 25).

Consider **claim 7**, Stewart clearly shows and discloses a portable telephone, reading on the claimed “telecommunications device,” comprising:

a position locator, which can determine location of the portable phone and generate a corresponding location signal, reading on the claimed “positioning controller adapted to determine positioning information for said telecommunications device,” (column 2, lines 1-4), and

a transceiver, reading on the claimed **46** “wireless data controller,” connected to the antenna of the portable telephone, receives location signals from the GPS location detector **40**, and the transmits signal to the centralized base station, from which the location request code was received **216** (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2). If the location request code requests location reports at predetermined time intervals, the processor **32** checks the timer and waits for predetermined time interval to elapse, then location from detector is transmitted to base station, reading on the claimed “wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at predetermined intervals,” (column 7, lines 65-67; column 8, lines 1-8).

However, Stewart fails to disclose that the transmission at predetermined intervals is responsive to the presence of the first telephones and a remote portable telephone.

In the same field of endeavor, Reichelt et al. clearly show and disclose a method and system that enables a subscriber to be warned via a mobile terminal, reading on the claimed network client.” The network monitors the location of the mobile terminal during a call. The position/location of the mobile terminal may be constantly and or periodically monitored by the mobile switching center (MSC), reading on the claimed “positioning server,” in order to detect movement of the mobile terminal into an invalid cell (e.g. during a call). Once the location framework (e.g., the nature of valid and invalid regions) is established, the MSC can request the base station system (BSS) send an indication to the MSC whenever the location information of the mobile terminal changes. The MSC may subsequently determine whether or not the new location information is allowed or disallowed for the mobile terminal. If disallowed, the MSC will take appropriate action, such as warning the user of the impending disconnection and starting a timer. Upon expiration of the timer (e.g. if the MSC has not been informed that the MT has since moved to a position that is valid), the MSC will disconnect the call, reading on the claimed “wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at

predetermined intervals responsive to an activation with the associated server," (col. 2 lines 40-43, col. 4 lines 60-63, col. 6 lines 11-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the MSC to start a timer in order to receive position/location information of a mobile terminal from the BSS as taught by Reichelt et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 8**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses that the portable telephone has a position locator such as a GPS receiver, reading on the claimed "positioning controller receives Global Positioning System (GPS) signals to determine said positioning information," (column 1, lines 50-53; figure 2).

Consider **claim 9**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses a portable telephone has a transceiver, connected to the antenna of the portable telephone, receives location signals from the GPS location detector, and the transmits signal to the centralized base station, reading on the claimed "wireless data controller is adapted to receive requests from said server to provide positioning information-related updates to said server," (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2).

Consider **claim 14** Stewart clearly shows and discloses a method of communicating with a portable telephone, reading on the claimed "telecommunications method," comprising (column 3, lines 1-4):

directing a location request signal to a position locator on the portable telephone, which can determine the location of the portable telephone and generate a corresponding location signal, reading on the claimed "receiving one or more positioning signals at a wireless device," (column 3, lines 30-35); and

transmitting the location signal from the portable device to the centralized base station, wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "transmitting position updates from said wireless device via a wireless data network to a server, said server including a timer for determining when said position updates are to be received from said wireless device," (column 3, lines 35-37; column 4, lines 53-65; figure 4B).

However, Stewart fails to disclose that the time to wait for receipt of the location request signal is responsive to the presence of the first telephones and a remote portable telephone.

In the same field of endeavor, Reichelt et al. clearly show and disclose a method and system that enables a subscriber to be warned via a mobile terminal, reading on the claimed network client." The network monitors the location of the mobile terminal during a call. The position/location of the mobile terminal may be

constantly and or periodically monitored by the mobile switching center (MSC), reading on the claimed "positioning server," in order to detect movement of the mobile terminal into an invalid cell (e.g. during a call). Once the location framework (e.g., the nature of valid and invalid regions) is established, the MSC can request the base station system (BSS) send an indication to the MSC whenever the location information of the mobile terminal changes. The MSC may subsequently determine whether or not the new location information is allowed or disallowed for the mobile terminal. If disallowed, the MSC will take appropriate action, such as warning the user of the impending disconnection and starting a timer. Upon expiration of the timer (e.g. if the MSC has not been informed that the MT has since moved to a position that is valid), the MSC will disconnect the call, reading on the claimed "transmitting position updates from said wireless device via a wireless data network to a server, said server including a timer for determining when said position updates are to be received from said wireless device, said timer being activated responsive to a registration of said associated ones with said server," (col. 2 lines 40-43, col. 4 lines 60-63, col. 6 lines 11-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the MSC to start a timer dependent on the position/location of a mobile terminal as taught by Reichelt et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 15**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention **as applied to claim 14 above**, and in addition, Stewart further discloses a portable telephone with a position locator such as a GPS receiver. The GPS location detector uses signals from any series of positioning satellites to ascertain the geographical location of the portable telephone, reading on the claimed "receiving one or more positioning signals comprises receiving one or more signals from a global positioning network," (column 1, lines 51-52; column 6, lines 4-7).

6. **Claims 4-6 and 16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Reichelt et al. (U.S. Patent # 6,349,206 B1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 4**, and **as applied to claim 1 above**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention except that the centralized base station queries the plurality of first telephones and portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a system for locating mobile units, reading on the claimed "network clients," operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server **140** sends a location determination request to the Service Control Point (SCP) **142**. The SCP receives the location determination request, and sends it to the home location register (HLR) **110**. The HLR

determines the Mobile Switching Center (MSC) **102** serving the mobile unit, and sends a route request to the serving MSC. The serving MSC receives the route request and accesses its visitor location register (VLR) **108**, or sends a page to the mobile unit, reading on the claimed "server sends one or more queries to an associated network client if a predetermined status message has not been received within a predetermined period as determined by said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Reichelt et al., in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 5**, the combination of Stewart and Reichelt et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 6**, the combination of Stewart and Reichelt et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Verdonk discloses the customer

server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the system of Stewart, as modified by Reichelt et al., in order to receive location-related information on the mobile unit or portable telephone.

Consider **claim 16**, and **as applied to claim 14 above**, Stewart, as modified by Reichelt et al., clearly shows and discloses the claimed invention except that the centralized base station is adapted to query the portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed

"server is adapted to query said wireless device if a predetermined status message has not been received within a predetermined period determined by said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Reichelt et al., in order to provide the server with updated information the portable telephone.

Consider **claim 17**, the combination of Stewart and Reichelt et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 18**, the combination of Stewart and Reichelt et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Verdonk discloses the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the

location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Reichelt et al., in order to receive location-related information on the portable telephone.

7. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **McDowell et al. (Pub # US 2002/0035605 A1)**, and in further view **Reichelt et al. (U.S. Patent # 6,349,206 B1)**.

Consider **claim 10**, Stewart clearly shows and discloses a centralized base station, reading on the claimed "telecommunications server," with a transceiver, wherein the centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "telecommunications server including a timer for determining when location information is to be received from associated ones of plurality of users," (column 2, line 53; column 4, lines 53-65).

However, Stewart does not disclose that the centralized base station includes a presence control unit and a location control unit.

In the same field of endeavor, McDowell et al. clearly show and disclose a computing platform, reading on the claimed "telecommunications server," that facilitates communications for wireless subscribers of a wireless network, comprising:

a presence module that maintains data concerning network presence of the wireless subscribers, reading on the claimed "presence control unit adapted to receive and maintain presence information for a plurality of users," and

a location proxy module that maintains location data concerning physical location of the wireless subscribers, reading on the claimed "location control unit adapted to receive and maintain location information for said plurality of users, said location information correlated with said presence information," (paragraph 0034).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a computing platform with a presence module, as well as a location proxy module as taught by McDowell et al. in view of Stewart, in order to receive and maintain presence and location information in a centralized base station.

However, Stewart, as modified by McDowell et al, does not disclose that the timer is activated responsive to the wireless subscribers registering with the base station or computing platform.

In the same field of endeavor, Reichelt et al. clearly show and disclose a method and system that enables a subscriber to be warned via a mobile terminal,

reading on the claimed network client.” The network monitors the location of the mobile terminal during a call. The position/location of the mobile terminal may be constantly and or periodically monitored by the mobile switching center (MSC), reading on the claimed “positioning server,” in order to detect movement of the mobile terminal into an invalid cell (e.g. during a call). Once the location framework (e.g., the nature of valid and invalid regions) is established, the MSC can request the base station system (BSS) send an indication to the MSC whenever the location information of the mobile terminal changes. The MSC may subsequently determine whether or not the new location information is allowed or disallowed for the mobile terminal. If disallowed, the MSC will take appropriate action, such as warning the user of the impending disconnection and starting a timer. Upon expiration of the timer (e.g. if the MSC has not been informed that the MT has since moved to a position that is valid), the MSC will disconnect the call, reading on the claimed “server includes a timer for determining when said location information is to be received from associated ones of said plurality of users, said timer being activated responsive to a registration of said associated ones with said telecommunications server,” (col. 2 lines 40-43, col. 4 lines 60-63, col. 6 lines 11-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a timer started dependent on the location of a mobile terminal as taught by Reichelt et al. in view of Stewart, as

modified by McDowell et al., in order to receive and maintain presence and location information in a centralized base station.

8. **Claims 11, 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of **Stewart (U.S. Patent # 6,643,516 B1)** and **McDowell et al. (Pub # US 2002/0035605 A1)**, in view of **Reichelt et al. (U.S. Patent # 6,349,206 B1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 11**, and **as applied to claim 10 above**, the combination of Stewart and McDowell et al., as modified by Reichelt et al., clearly show and disclose the claimed invention except that the location control unit queries an associated one of the plurality of users.

In the same field of endeavor, Verdonk discloses a system and method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed "location control unit is adapted to query an associated one of said plurality of users if a predetermined status message has not been received within a predetermined period determined by said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Reichelt et al., in order to provide the location proxy module within the server with updated information on the mobile unit or portable telephone.

Consider **claim 12**, the combination of Stewart, McDowell et al. and Reichelt et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 13**, the combination of Stewart, McDowell et al. and Reichelt et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Verdonk discloses that the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status

message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Reichelt et al., in order to receive location-related information at the location proxy module on the mobile unit or portable telephone.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

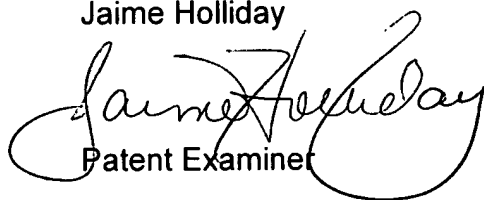
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime M. Holliday whose telephone number is (571) 272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

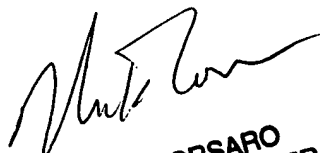
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jaime Holliday



Patent Examiner



NICK CORSARO
PRIMARY EXAMINER